

### **Deputy/Leadership - Candidates' code of conduct**

1. This code of conduct has been produced for all aspiring candidates and validly nominated candidates in the selection of Leader/Deputy Leader of the Labour Party, in order to assist the smooth running of all stages of the process.
2. The National Executive Committee is mindful of the fact that for the first time in its history the party as a whole is electing not only a new leadership team but also a new Prime Minister. Equally, this is the first time that a nationwide poll, albeit with a self-selected franchise, has elected a new head of government. The Labour party has a duty not only to itself but to the country as a whole to respect the responsibility and privilege which has been placed in its hands.
3. The official campaign period will not begin until the publication of the timetable for nominations and until this point no candidate can be considered to be validly nominated.
4. However, the provisions of this code of conduct apply to any aspiring candidate, and those campaigning on their behalf prior to the publication of the timetable.

### **Conduct of Candidate Campaigns**

5. Candidates who are members of the government will be expected to carry out their departmental and parliamentary duties without interruption. Their ministerial portfolios must remain their primary responsibility. These responsibilities must be carried out, as always, in accordance with the Ministerial Code. The logistics of the campaign will be organised to reflect the primary duty of the party and government to the nation.
6. No candidates or persons acting on behalf of a candidate will use their own material or access to publicity to disparage any other candidate.
7. Labour Party staff will not use their position, Party resources or time in the process of an internal selection or election so as to further the interests of themselves or their personal preferred candidate(s). This does not preclude normal contact or general conversation undertaken in their capacity as a member of the Party. The General Secretary is answerable to the NEC for the conduct of staff in all internal elections.
8. No financial inducement to constituency parties, affiliates, MPs or MEPs or to individual members or political levy payers may be offered to attempt to secure support.
9. Membership lists will not be made available to candidates by Labour Party Head Offices, Regional Offices or the Scottish and Welsh Labour Party Offices.
10. CLP and affiliate secretary contact lists will be supplied by the Procedures Committee to candidates after publication of the timetable by the NEC and

upon payment of £500. All cheque's must be made payable to 'The Labour Party'.

11. All CLP and affiliate secretary contact lists provided are solely for the purpose of this election and must be disposed of immediately following the outcome of the election. Any candidate who does not adhere to these rules may be in breach of the Data Protection Act 1998.
12. Candidates are permitted to mail Labour Party Units, affiliated organisations and elected representatives with any canvassing/promotional material at cost to the individual candidates.
13. An aspiring candidate (or someone with a clear conflict of interest with regards to any individual candidate) cannot attend any discussions that deal with election business unless specifically invited by the General Secretary. Conflict of interest does not normally include nomination, either personally or as a member of an affiliated organisation, of an individual candidate.
14. A guideline note for candidates would be provided, including information about data protection laws, etc.
15. The General Secretary will undertake the role of independent arbitrator. Once the timetable has been agreed the General Secretary will also act as Secretary to the Procedures Committee.
16. Only the General Secretary or any person appointed by the NEC will issue media comments in respect of the process. This does not preclude candidates undertaking press, Radio or TV interviews, though under no circumstances should any candidate disparage any other aspiring candidate.

#### **Following publication of the timetable**

17. Following the publication of the timetable by the NEC, formal written nominations must be submitted to the General Secretary. Nominations received after the deadline prescribed in the timetable will not be considered valid.
18. Candidates will be declared valid by the Procedures Committee only at the close of the nomination process, although they may have achieved the threshold prior to this date.
19. Validly nominated candidates will be written to by the Procedures Secretary and formally informed of their nomination.
20. Nominated candidates must inform the General Secretary of the acceptance of their nominations, once declared as validly nominated by the Procedures Committee, by noon on <date> following the close of PLP nominations. An acceptance of nomination will be deemed to be an acceptance of the provisions of the 15% levy on all donations to the candidates campaign as set out below.



21. All nominations will remain valid once submitted unless the nominated candidate withdraws in writing to the General Secretary. In this instance all MPs who had nominated the withdrawn candidate will be entitled to submit a further nomination prior to the deadline.
22. Any candidate wishing to withdraw will need to do so in writing to the General Secretary by <DATE> following the close of nominations, or they will be included on the ballot paper. Any candidate will be entitled to withdraw at anytime. The next voting preference of any member or affiliated member would then be used.
23. Validly nominated Candidates are requested to appoint an Agent. This agent will be expected to attend meetings with the Procedures Committee, at which the campaign will be co-ordinated and hustings arrangements determined.

#### **National support for validly nominated candidates**

24. The party will provide or offer the following support for all validly nominated candidates, should they choose to accept it:
25. Each validly nominated candidate will have a web page as part of the Labour Party leadership contest website. This would include the candidate's biography, list the nominations and supporting nominations, and include a link to their campaign website. This does not preclude candidates also having their own websites.
26. A print service will be provided to validly nominated candidates at a cost should they wish to take this up. The party will also provide a small selection of print templates from Print.Creator for candidates. Candidates will be responsible for the final sign off of their material.
27. A party photographer will be made available to validly nominated candidates at a cost to take official photos. The party will own the rights to these photos.
28. Candidates whilst not encouraged to use Labour Party branding would not be prevented from doing so.
29. All hustings events associated with the election organised by the Labour Party will be open to all validly nominated candidates. All validly nominated candidates' leaflets will be made available at these events if they are provided to head office in sufficient time.
30. The Press Office will facilitate media interviews with validly nominated candidates at centrally organised events. At all other times, the Press Office will direct all media bids to validly nominated candidate's agents.
31. The Labour Party will supply to all eligible electors a candidate's statement booklet along with the ballot, at no additional cost to candidates.

## **The Ballot**

32. The ballot itself will be distributed only through the official machinery. No candidate or supporter(s) of an candidate will attempt to unduly interfere in the application for, casting, and return of votes.
33. No candidate or members acting on her/his behalf will interfere with or put under duress any member in regard to how they vote.

## **Candidate spending & reporting**

34. Candidates are regulated by the Political Parties, Elections & Referendum Act (PPERA) 2000 and are required to comply with the provisions on accepting and reporting of donations.
35. Candidates in this election are defined as 'regulated donees' for the purposes of the PPERA. Schedule 7 of the PPERA regulates donations and loans made to regulated donees in connection with their political activity. Donations and loans to members of any registered party are regulated if they are made to an individual in connection with that individual's political activities, for instance if that individual is seeking selection to a position within the party.
36. A regulated donee can only accept donations and loans of more than £200 made in connection with their political activities if the donor is a permissible donor. Permissible donors are defined by the PPERA as:
- an individual registered on a UK electoral register;
  - a UK registered political party;
  - a UK registered company;
  - a UK registered trade union;
  - a UK registered building society;
  - a UK registered Limited Liability partnership;
  - a UK registered friendly/building society;
  - a UK based unincorporated association.
37. Regulated donees are prohibited from accepting donations or loans of more than £200 other than from these sources. Any donations or loans of more than £200 from impermissible sources must be returned and reported to the Electoral Commission within 30 days of receipt, and donations from unidentifiable sources cannot be accepted.
38. The PPERA regulates different types of donations made to regulated donees. In addition to cash gifts and bequests, the PPERA also specifies that sponsorship of events or publications produced by a donee must be treated as a donation. Non-cash donations - such as the secondment of staff, free or reduced rate use of property, transport or printing facilities for example - are also controlled



donations under Schedule 7. The Labour Party will provide advice on non-cash donations to candidates on request.

39. Regulated donees are required to submit reports to the Electoral Commission detailing any of the following:

- an accepted donation or loan of more than £1000;
- any impermissible donation or loan of more than £200;
- any donation of more than £200 from an unidentifiable source.

40. The report must provide the information necessary to prove that the donor or lender is a permissible source or has been returned, and must be submitted to the Commission **within 30 days of the date on which the donation or loan was accepted or returned.**

41. **The legal requirement of the PPERA 2000 to report donations or loans to the Electoral Commission begins as soon as a candidate (either an aspiring or validly nominated candidate) receives any donation or loan. In other words this requirement is not dependant upon the publication of the election timetable. It is the responsibility of each candidate to ensure that they report donations or loans to their campaign.**

42. All candidates are strongly recommended to register donations or loans made to them for their campaigns with the Electoral Commission separately from those that they receive and register as Members of Parliament. For these purposes the donations should be registered as donations or loans to '*Name of Candidate (member of a registered political party).*'

43. Forms for the reporting of donations or loans and further guidance can be found on the Electoral Commission website  
<http://www.electoralcommission.org.uk>.

44. Candidates must also report any individual donation of over £1,000 to the House of Commons authorities and be aware that such donations may trigger 'advocacy'. This may need to be recorded under the Register of Member's Interests.

45. All candidates are expected to appoint an agent who will document income and outgoings throughout the campaign including the period prior to their nomination. At the end of the campaign all accounts must be submitted to the Compliance Unit of the Labour Party no later than 30 days <date> after the announcement of the Electoral College Result. Appropriate forms will be supplied by the Labour Party for this purpose. These accounts should detail all income and expenditure and itemise all donations or loans over £200 pounds and all expenditure over £50.

46. Candidates will not be subject to a spending limit. The Labour Party will not be liable for any element of campaign spending as this must be raised independently by each candidate.

47.If a candidate is validly nominated then a levy of:

- 15% on all donations received by that candidate for the purposes of their electoral campaign, including those received prior to their nomination;
- plus any surplus of funds raised after the payment of all election bills;

will be paid to the Labour Party by that candidate.

48.This levy will be payable 30 days after the announcement of the Electoral College Result and should be delivered with campaign accounts.

49.Any breach of this code will be reported to the Procedures Committee by the General Secretary, the decision of the Procedures Committee will be considered final in all regards.